



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** September 29, 2005  
**AGENDA DATE:** October 6, 2005  
**PROJECT ADDRESS:** 415 Alan Road and 23 Wade Court (MST2005-00078)  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
Janice Hubbell, AICP, Senior Planner  
Kathleen Kennedy, Assistant Planner

### **I. SUBJECT**

The proposed project is a subdivision involving two existing parcels, 415 Alan Road (APN 041-091-024) and 23 Wade Court (047-071-020). The 415 Alan Road parcel is 59,657 square feet (1.37 acres) and is located in the A-1/SD-3, One-Family Residence and Coastal Overlay Zones. The 23 Wade Court parcel is 9,077 square feet and is located in the E-3/SD-3, One-Family Residence and Coastal Overlay Zones. The purpose of the subdivision would be to increase the lot size of 23 Wade Court and to create an additional lot. The proposed project would require a rezone of a portion of the existing 415 Alan Road parcel. Some of the land to be rezoned would be added to the 23 Wade Court parcel, with the remainder becoming the new parcel.

The first step in the process for this type of application is a request to the Planning Commission for initiation of the rezone. The request would be the initiation of a zone change for a portion of the parcel located at 415 Alan Road from A-1/SD-3 to E-3/SD-3 (see Exhibits B & C). If the zone change is initiated, a Local Coastal Program Amendment would be required as well. If the proposed project proceeds, it would also require a Tentative Subdivision Map, Lot Area Modification, and Coastal Development Permit. At this time, the Planning Commission is not being requested to take any action regarding approval of the proposed project nor make any determination regarding environmental review.

The discretionary applications requested for this project are:

1. Initiation of a Zone Change from A-1/SD-3 (One-Family Residence and Coastal Overlay Zones) to E-3/SD-3 (One-Family Residence and Coastal Overlay Zones); and
2. Initiation of a Local Coastal Program Amendment to accept the zone change.



**Vicinity Map for 415 Alan Road and 23 Wade Court**

## **II. SITE INFORMATION**

<b>EXISTING</b>		
<b>ADDRESS</b>	<b>415 ALAN ROAD</b>	<b>23 WADE COURT</b>
<b>OWNER</b>	ANDREW SEYBOLD	CHRIS PELONIS
<b>APN</b>	041-091-024	047-071-020
<b>ZONE DISTRICT</b>	A-1/SD-3	E-3/SD-3
<b>EXISTING SLOPE</b>	12.4%	14.7%
<b>MINIMUM LOT AREA REQUIRED PER SLOPE DENSITY</b>	65,340 sq. ft. (1.5 acre)	11,250 sq. ft. (0.26 acre)
<b>EXISTING LOT AREA</b>	59,657 sq. ft. (1.37 acre) <b>NONCONFORMING</b>	9,077 sq. ft. (0.21 acre) <b>NONCONFORMING</b>
<b>GENERAL PLAN DESIGNATION</b>	RESIDENTIAL: 1 UNIT/ACRE <b>CONFORMING</b>	RESIDENTIAL: 1 UNIT/ACRE <b>NONCONFORMING</b>

<b>PROPOSED</b>			
ADDRESS	<b>415 ALAN ROAD -A Parcel 1</b>	<b>23 Wade Court Parcel 2</b>	<b>415 ALAN ROAD -B Parcel 3</b>
OWNER	ANDREW SEYBOLD	CHRIS PELONIS	ANDREW SEYBOLD
APN	041-091-024	047-071-020	
ZONE DISTRICT	A-1/SD-3	E-3/SD-3	E-3/SD-3
PROPOSED AVERAGE SLOPE	11.2%	17.3%	17.2%
MINIMUM LOT AREA REQUIRED PER SLOPE DENSITY	65,340 sq. ft. (1.5 acre)	11,250 sq. ft. (0.26 acre)	11,250 sq. ft. (0.26 acre)
PROPOSED LOT AREA	43,590 sq. ft. (1 acre) <b>NONCONFORMING</b>	13,792 sq. ft. (0.32 acre) <b>CONFORMING</b>	11,347 sq. ft. (0.26 acre) <b>CONFORMING</b>
GENERAL DESIGNATION PLAN	RESIDENTIAL: ONE UNIT/ACRE <b>CONFORMING</b>	RESIDENTIAL: ONE UNIT/ACRE <b>NONCONFORMING</b>	RESIDENTIAL: ONE UNIT/ACRE <b>NONCONFORMING</b>

### **III. DISCUSSION**

The existing 415 Alan Road parcel is zoned A-1, which requires one-acre minimum lot size. It is currently nonconforming at 1.37 acres because the property's slope is 12.4%, which requires 1.5 acres under slope density provisions. The proposed subdivision would result in the 415 Alan Road lot being reduced by 16,067 square feet, making it more nonconforming.

The property at 415 Alan Road is located in the Campanil neighborhood of the City, which is bordered on the north and east by Arroyo Burro Creek, on the south by the ocean and on the west by Hope Ranch. Most of this area is in large parcels (often multi-acre), which are either vacant or contain single-family dwellings. After the subdivision, the 415 Alan Road parcel would remain conforming to the one unit per acre density called out in the General Plan. However, the text of the Land Use Element calls for the use of the slope density provisions that require larger lot area for properties with slopes in excess of 10%.

The existing 23 Wade Court parcel is zoned E-3, which requires a minimum lot size of 7,500 square feet. It is currently nonconforming at 9,077 square feet because the property's slope is 14.7%, which requires 11,250 square feet using slope density provisions. The subdivision would result in 4,715 square feet being added to the lot, for a total of 13,792 square feet. The increased size, as well as the rezone of the land added, would result in the parcel being in conformance with the required lot area in the E-3 zone district, including slope density.

The property at 23 Wade Court is also located in the Campanil neighborhood of the City. An exception to the predominant, large lot configuration of this neighborhood is the Braemar Park Tract, of which 23 Wade Court is a part. This tract was developed while under County jurisdiction. It was annexed in 1956 and placed in an E-3 single family residence zone

designation, which requires a 7,500 square foot minimum lot size (or more lot area if average slope exceeds 10 percent). This development of approximately 120 parcels, on relatively steep topography, is noted in the City's General Plan Land Use Element and Local Coastal Plan as presenting "a vivid picture of improper subdivision techniques."

The density (dwellings per acre) in this portion of the neighborhood is approximately four times greater than that of most of this area. The proposed subdivision would increase the size of the 23 Wade Court parcel, facilitating additional development on the lot, and resulting in an overall increase in the intensity of development on the property that would not appear appropriate or consistent with the area. The General Plan density for this site and the rest of the Braemar Tract is one residential unit per acre. Although the resultant parcel would be larger, the parcel would remain nonconforming with the General Plan density.

The Planning Commission conceptually reviewed this proposed project in 2004 when it only involved a lot line adjustment between the two parcels. At that time, the Planning Commission discouraged any development on the land that would be given to 23 Wade Court. Currently, according to the applicant letter, it appears there is an interest in developing some of the land being transferred to this property, which is contrary to the Planning Commission's advice.

#### **IV. RECOMMENDATION/FINDINGS**

The original 415 Alan Road parcel, which is currently nonconforming to lot area, would become more nonconforming as a result of the proposed subdivision. Although the 23 Wade Court parcel would become conforming to lot area after the subdivision, it would remain nonconforming to General Plan density. In addition, the newly created lot would be conforming as to lot area but would be nonconforming to General Plan density.

If the proposed zone change and Local Coastal Program Amendment were to be initiated, Staff would not be able to recommend project approval to the Planning Commission because the necessary findings that the proposed project is consistent with the Zoning Ordinance and General Plan could not be made. The subdivision would result in lot configurations that would not conform to current zoning standards as specified in SBMC§28.15.080. In addition, the proposed project would not conform to the General Plan density for the area nor be appropriate for the neighborhood when the Land Use Element and Local Coastal Plan state this neighborhood is already too dense.

Therefore, Staff recommends that the Planning Commission deny the initiation of the zone change and initiation of the Local Coastal Program Amendment because the following findings cannot be made.

##### **A. FINDINGS FOR A CHANGE OF ZONE BOUNDARIES (SBMC§28.92.015)**

The change is justified by public necessity, convenience, general welfare or good zoning practice.

##### **B. FINDINGS FOR A LOCAL COASTAL PROGRAM AMENDMENT (SBMC§28.45.009)**

The project is consistent with the policies of the California Coastal Act (commencing with Section 30200) including public access and public recreation because it would not affect

public access or recreation opportunities. In addition, the project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Municipal Code.

If the initiation is granted, it is not meant to imply any approval of, or formal position on the proposed project other than acknowledging that the proposed zone change and Local Coastal Program amendment can proceed for study and environmental review.

Exhibits:

- A. Existing zone boundaries map
- B. Proposed parcels map
- C. Proposed rezone map
- D. Applicant's letter dated June 6, 2005
- E. PRT letter dated March 17, 2005